THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 29th November,2006

W.P.No.24865 of 2006

Between :

Chelamala Narasa Reddy & others … Petitioners

and

The Government of Andhra Pradesh,

Rep. by its Secretary, Irrigation & CAD

Department, Secretariat Buildings,

Hyderabad & aothers … Respondents

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ORAL ORDER:

Heard both sides.

The grievance of the petitioners is that their lands have been acquired by invoking the provisions of the Land Acquisition Act,1894 (for short 'the Act'). The draft notifications under Section 4(1) of the Act were published in the Official Gazettes on 12-8-1980, 28-10-1980 and 29-5-1980. Thereafter, the Awards were passed. Being dissatisfied with the awards passed by the Land Acquisition Officer, some of the claimants sought for reference under Section 18 of the Act. The matter was referred to the Civil Court i.e. Court of Senior Civil Judge, Rajampet, Cuddapah District in

L.A.O.P.No.347 of 1989 and batch. The learned Senior Civil Judge, by a common Award, dated 23-10-1998 enhanced the compensation to 80% over and above the market value fixed by the Land Acquisition Officer. According to the petitioners, against the said Award, the Land Acquisition Officer filed appeals, but the same were dismissed by this Court.

Be that as it may, petitioners filed applications under Section 28-A of the Act before the 3rd respondent on 15-5-1999 seeking redetermination of the compensation on the basis of the said Award passed by the civil Court. It is the complaint of the petitioners that the said applications are still pending with the 3rd respondent.

In the facts and circumstances of the case, without expressing any opinion on merits, the 3rd respondent is directed to consider the applications purported to have been filed by the petitioners on 15-5-1999 under Section 28-A of the Act for redetermination of compensation. If the said applications are in order and within the period of limitation and the petitioners complied with other provisions of the Act, the 3rd respondent shall pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No order as to costs.

29-11-2006

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